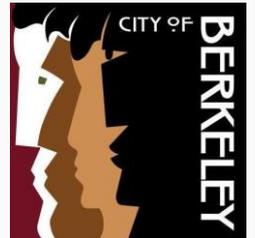


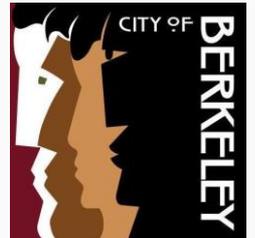
# Item 9: Public Hearing on Zoning Ordinance Amendments that Address Technical Edits and Corrections

Justin Horner, Associate Planner  
Planning Commission, July 6, 2022



# Outline

1. Category One Amendments (3 in total)
2. Category Two Amendments (7 in total)
3. Questions



# Category One Amendments

## **BMC Section 23.204.090 (C-NS Zoning District; Usable Open Space)**

**Policy:** The C-NS District requires 40 sq. ft. of Usable Open Space for each Dwelling Unit.

**Issue:** The new Zoning Ordinance mistakenly includes a requirement of 200 sq. ft. per dwelling unit.

**Amendment:** Revise to include 40 sq. ft. requirement and proper dimension standard.



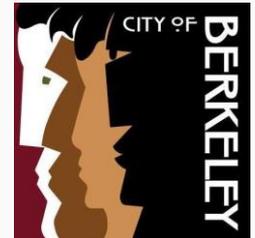
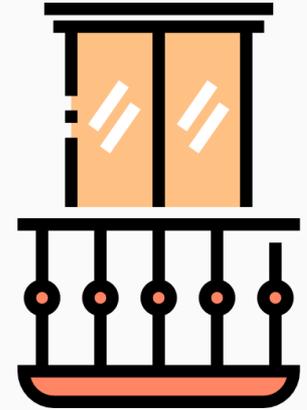
# Category One Amendments

## **BMC Section 23.204.130 (C-DMU Zoning District; Balconies)**

**Policy:** The BMC indicates that no more than 50% of the total required Usable Open Space may be satisfied by balconies.

**Issue:** The new Zoning Ordinance inadvertently omitted this requirement from the C-DMU zoning district standards.

**Amendment:** Amend the **Table 23.204-40: C-DMU Usable Open Space Requirements** to reflect this requirement.



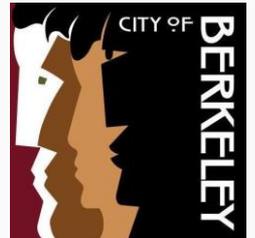
# Category One Amendments

## BMC Section 23.304.030 (Setbacks; R-1A Zoning District)

**Policy:** The old Zoning Ordinance did not include any provision for additional setback reductions for properties in the R-1A zoning district located west of San Pablo. These additional setback reductions were removed in 2018.

**Issue:** The new Zoning Ordinance includes the provision for additional setbacks.

**Amendment:** Amend **Table 23.304-1 Allowed Setback Reductions in Residential Districts** to strike the provision.



# Category Two Amendments

	Zoning Ordinance Section	Proposed Amendment	Rationale
1	23.204.050.D, Table 23.204-8 (C-C Development Standards Table)	Under Non-Residential and Mixed Use projects, revise reference for Abutting/Confronting a Residential District from 23.304.130.C.2 to 23.304.030.C.	Correction.
2	23.204.080.D Table 23.204-21 (C-E Development Standards Table)	Revise Note [2]:  [2] Open space requirements for mixed use projects may be modified by the ZAB. See <del>23.204.060</del> 23.204.080.D.3	Correction.
3	23.206.050.A.7.d (Protected Uses in the MM and MU-LI Districts)	Revise the heading for 23.206.050.A.7.d:  (d) MU-LI Lots <u>Under Multiple Common Ownerships</u>	Clarification.
4	23.304.090.A (Usable Open Space)	Revise as follows:  A. Applicability. The standards in this section apply to areas used to satisfy minimum usable open space requirements. <del>as shown in Chapters 23.202--23.202.110 (Zoning Districts).</del>	Standards apply to all districts
5	23.304.030.B.7.c (Solar Energy Equipment)	Revise as follows:  <del>(c) The building served by the solar energy equipment complies with the Residential Energy Conservation Ordinance (RECO).</del>	The RECO no longer exists.
6	23.322.030.C.2 Table 23.322-4 (Required Off-Street Parking in Manufacturing Districts)	Revise Required Parking Spaces for Manufacturing uses in the MU-LI to 1.0 space per 1,000 sf:  MU-LI District: 1.0 <del>5</del> per 1,000 sq. ft.	Correction.
7	23.406.070.A (Design Review—Purpose)	Revise the first sentence of the Purpose as follows:  A. Purpose. Design Review is a discretionary process to ensure that exterior changes to <del>non-residential</del> buildings comply with the City of Berkeley Design Guidelines and other applicable City design standards and guidelines.	Clarification.

# Questions

